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Proposals and contributions received from Governments

China: non-paper

1. Following the development of economic globalization, corruption has become increasingly severe and constitutes a major obstacle to economic development and social stability. International cooperation is essential to fight against corruption effectively. China therefore welcomes the preparation of a United Nations Convention against Corruption and is ready to play an active role in the project.

2. The crime of corruption is a problem faced by every State. States attach great importance to the prevention and suppression of the crime of corruption. Bearing in mind the diversity of the social and economic backgrounds and political systems of States, each State should take preventive and suppressive measures based upon its own circumstances and legal system, which, in turn, will enhance the effectiveness of States' efforts to combat corruption. China proposes that, in drafting the convention against corruption, the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) be used as a reference. The convention to be drafted may require contracting States, as a matter of principle, to take measures to promote integrity among public officials and to ensure effective prevention, detection and punishment of corruptive activities.

3. At the international level, the main problem in combating corruption is that it remains difficult to extradite fugitives involved in crimes of corruption after they have fled with the proceeds of their crimes. At the same time, it is equally difficult for countries that are victims of corruption to recover the proceeds of crime. This problem has made it possible for persons who have committed crimes of corruption to escape from punishment and to carry on their lives with the proceeds of crimes, which has been having a negative impact on the fight against corruption and even encouraging it. The root causes of the above-mentioned situation are the differences among States' political and legal regimes and the lack of an effective mechanism for judicial cooperation. Therefore the primary task against corruption at the international level is to establish judicial cooperation so as to ensure that offenders,

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wherever they are, are brought to justice and the proceeds of crime are confiscated and returned to the victim countries. Thus, the international harbour for offenders will be eliminated. The future convention against corruption should be aimed at strengthening international judicial cooperation. With that as its main purpose, the convention will include provisions on jurisdiction, judicial assistance, extradition, transfer of sentenced persons, exchange of information, search, seizure and return of proceeds of crime. In that regard, the United Nations Convention against Transnational Organized Crime can also serve as a sound basis.